



NOTICE OF DECISION

May 07, 2026

File No.: PLDP20260066

Sent via email and mail: anthony.novello@evolvesurface.com
& megan.garrick@evolvesurface.com
& christie.zacher@evolvesurface.com

XPLORE INC. c/o EVOLVE SURFACE STRATEGIES INC.
105 - 58 GATEWAY DR NE
AIRDRIE, AB T4B 0J6

Attention: Anthony Novello, Project Manager / Municipal Affairs Specialist

Dear Anthony:

RE: Proposed Development Permit
Legal: NE 11-32-28-4
Development Proposal: Communication Tower

The above noted Development Permit application on the NE 11-32-28-4 for a Communication Tower was considered by the Municipal Planning Commission on May 07, 2026.

The following policies were taken into consideration by the Municipal Planning Commission when reviewing the application:

Municipal Development Plan **Section 3.0 Agricultural Land Use Policies**
Bylaw No. 20/20

Land Use Bylaw No. 10/24 **Section 10.7. Communication Tower**
 Section 11.1. A Agricultural District

The Municipal Planning Commission concluded that a Communication Tower is suitable development for NE 11-32-28-4 and conforms to the above noted policies.

As such, the Municipal Planning Commission has approved the application subject to the following conditions:

STANDARD CONDITIONS:

1. The provisions of the Land Use Bylaw No. 10/24.

2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
4. If the development authorized by a Development Permit is not complete within twenty-four (24) months from the effective date of the Permit, such Permit approval ceases and the Permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.


STANDARD CONDITIONS IF APPLICABLE:

5. Landowners shall be responsible for dust control on the County road adjacent to their property.
6. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
7. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
8. N/A
9. No development shall be constructed, placed or stored over an easement or utility right-of-way; the applicant/owner is responsible for contacting Alberta-One-Call and/or other governing authority.

PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:

10. Permittees are advised that they are subject to standards of the Safety Codes Act of Alberta and are responsible to meet the requirements of the Act in regard to building, electrical, gas, plumbing and private sewage disposal systems. Prior to construction, required Permits must be obtained from Mountain View County. Mountain View County shall not be responsible or liable in any manner whatsoever for any structural failures, defects or deficiencies whether or not the said development has complied with the Safety Codes Act of Alberta.

ADDITIONAL CONDITION(S):

11. All required permits and/or approvals from Federal Authorities must be obtained and copies provided to Mountain View County upon request.
 12. Upon no longer utilizing this site, the site will be reclaimed, including the removal of the Communication Tower, antennas, cable, equipment, and concrete.
 13. The height of the fence that encloses the Communication Tower shall be a minimum of 1.8 metres (5.9 feet) high with additional anti-climb measures on the fence and tower.
 14. The applicant and/or operator shall obtain a Road Use Agreement from the County's Operational Services Department 30 days prior to the proposed construction commencement date, for the construction of the Communication Tower only.
 15. The Communication Tower will be engineered to accommodate future co-location with additional carriers, and to minimize any potential negative effects on the adjacent lands or uses.
 16. The applicant and/or operator shall manage vegetation including weed control.
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17. The applicant and/or operator shall ensure that the lighting on the Communication Tower complies with the requirements of Federal Authorities, and be what is minimally and legally necessary based on the Dark Sky Principal Concepts and Practices, which attempt to reduce light pollution, particularly in rural areas, in order to conserve energy, reduce glare, maintain rural character, safeguard wildlife (who are often disturbed by excessive light) and maintain views of the night sky and stars.


Note: The MPC encourages that the power line that provides power to the Communication Tower be below ground where it crosses Township Road 322.

A Notice of Decision for this Development Permit, that lists all the conditions and includes the site plan, will be placed on the County's website at <https://www.mountainviewcounty.com/p/development-permits>. This decision will be advertised on **May 12, 2026** and **May 19, 2026** in The Albertan. Should you wish to appeal this decision, or any of its conditions, your appeal must be received by the Secretary of the Land & Property Rights Tribunal, by 4:00 p.m. on **May 28, 2026**.

Pursuant to the Municipal Government Act, the appeal body for this application is the Land and Property Rights Tribunal (LPRT). Information regarding the appeal process and application forms can be obtained from the LPRT website at: <https://www.alberta.ca/subdivision-appeals.aspx>

Following the appeal period, should no appeals be submitted, the Development Permit will be issued. If a Building Permit is required, please ensure the contractor receives a copy of the approved sketch so that the setbacks as approved are adhered to.

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 211 or by email at bhutchings@mvcountry.com.

Yours truly, 

Becky Hutchings, Development Officer
Planning and Development Services

/dr

Enclosures

cc: MARKUI CONTRACTING LTD
1041 MABEL LAKE RD
LUMBY, BC V0E 2G5
Email: mark.fruson@gmail.com

Xplore Inc. Site Sketch

NE 11-32-28 W4M
In Mountain View County



CONDITIONALLY APPROVED
MOUNTAIN VIEW COUNTY
May 7, 2026
PLDP20260066 *[Signature]*
PLANNING AND DEVELOPMENT SERVICES
SEE LETTER FOR CONDITIOINS

NOTE:
THIS IS NOT A FORMAL SURVEY PLAN
SKETCH REPRESENTATION ONLY



File #: 37092
Client #: AB5514 Opt F
Revision #: 0
Sketch Date: 30-Oct-2025

Location		
Description	Latitude	Longitude
Site Center	51.736175	-113.866935
Approach	51.736476	-113.866955
Site Center Elevation		961m
Area		
Type	Area (m ²)	Area (Sq. Ft.)
Lease Area	399.94	4304.85
New Access Area	126.84	1365.24
Existing Access Area	0.00	0.00
Utility Area	74.99	807.17
Total Area	601.76	6477.26

Legend

- Power Poles
- Power Lines
- Site Center
- Overhead Utility Line
- - - Underground Utility Line
- Lease and Access Boundary



Telephone: 780-427-2444
 Fax: 780-427-0986
 Email: LPRT.appeals@gov.ab.ca

INTERNAL USE ONLY

SUBDIVISION/ DEVELOPMENT AUTHORITY APPEAL FORM

Land and Property Rights Tribunal
 1229-91 Street SW
 Edmonton AB T6X 1E9

A notice of appeal for a subdivision matter must be filed within 14 days after receipt of the subdivision authority's written decision. A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision is given.

This is an appeal of a: Subdivision Authority Decision Development Authority Decision

Part 1- Contact Information

PROPERTY UNDER APPEAL

Name of Municipality	Subdivision/Development Authority (if applicable)	Subdivision/Development Authority File or Permit Number
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Does the land that is subject of the appeal contain, or is it adjacent to, or near, any of the following? (Check ALL that apply)

For Subdivision Appeals:

Highway (# _____) Body of Water (Name: _____) Landfill

Green Area Wastewater Treatment Facility Waste Management Facility Historical Site/Resource

Alberta Environment and Parks AUC NRCB AER ERCB AEUB

Licence/Permit/Approval or Other Authorization Number: _____

For Development Appeals:

Alberta Environment and Parks AUC NRCB AER ERCB AEUB

Licence/Permit/Approval or Other Authorization Number: _____

Land Description	Section	Township	Range	Meridian	Municipal Address or Lot Block Plan
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APPELLANT (e.g. Landowner, Applicant, Affected Person or Government Department filing the Appeal)

Name(Organization)	(Last)	(First)	Telephone Number
Address (Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province) (Postal Code)
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):			

LANDOWNER INFORMATION (If different from Appellant)

Name	(Last)	(First)	Telephone Number
Address (Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province) (Postal Code)
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):			

REPRESENTATIVE INFORMATION AND AUTHORIZATION (if Appellant is Represented by an Agent)

Name of Organization			Telephone Number	
Address (Street, PO Box, RR)	(Suite, Apartment)	(Municipality)	(Province)	(Postal Code)
E-mail address (By providing an e-mail address I consent to receive documents by e-mail):				
I (We) hereby authorize _____ to act on my (our) behalf to this application.				
_____ Signature of Applicant(s)	_____ Date	_____ Signature of Applicant(s)	_____ Date	

Part 2- Decision of the Subdivision/Development Authority

Date of Decision:

Copy of Subdivision/Development Authority Decision included? Yes No

Part 3- Reasons for Appeal

All appeals must contain reasons. Attach additional pages if required.

- Approval - Why do you oppose the approval or what conditions of approval do you disagree with and why?
- Refusal - Why do you think the application should be approved?

Signature of Appellant OR Person Authorized to Act on
Behalf of Appellant

Date

The personal information collected is for the purpose of setting up application/appeal proceedings which will be provided to those who may be affected by your application/appeal and will be considered a public record. Your contact information will be used to send a follow up survey designed to measure satisfaction with the tribunal proceedings. This personal information collection is authorized by section 33(c) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of personal information, you may contact the Land and Property Rights Tribunal, 1229-91 Street, SW, Edmonton, Alberta T6X 1E9, (780) 427-2444 (Outside of Edmonton call 310-0000 to be connected toll free) or by email to LPRT@gov.ab.ca.

Submit by E-mail	Print Form	Save	Reset Form
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